

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JUAN ROSA,

Plaintiff,

-v-

9:10-CV-1313  
(DNH/DRH)

DR. JACK KEISER M.D., Cayuga Correctional  
Facility; D. STALLONE, Cayuga Correctional  
Facility Superintendent; and T. NAPOLI, Cayuga  
Correctional Facility I.G.P.S.,

Defendants.  
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APPEARANCES:

OF COUNSEL:

JUAN ROSA  
Plaintiff Pro Se  
05-A-4978  
Elmira Correctional Facility  
Post Office Box 500  
Elmira, NY 14902

HON. ERIC T. SCHNEIDERMAN  
Attorney General for the State of New York  
Attorney for Defendants  
The Capitol  
Albany, NY 12224

DAVID L. COCHRAN, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff brought this action pursuant to 42 U.S.C. § 1983. On May 14, 2012, the Honorable David R. Homer, United States Magistrate Judge, advised, by Report-Recommendation, that defendants' motion to dismiss pursuant to Federal Rule of Civil

procedure 41(b) and Local Rule 41.2(b) be granted. No objections to the Report-Recommendation were filed.

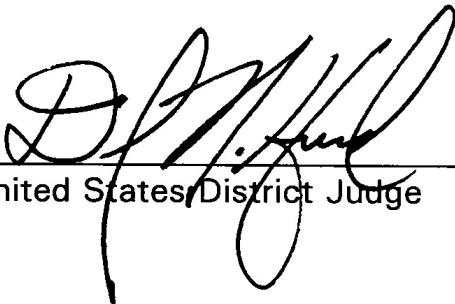
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. 636(b)(1).

Therefore it is

ORDERED that

Defendants' motion to dismiss is GRANTED and the complaint is DISMISSED in its entirety with prejudice.

IT IS SO ORDERED.

  
United States District Judge

Dated: June 13, 2012  
Utica, New York.